

U.S.A. vs SARAH L. EVANS

No. 08CR2066-BTM-01

The Court finds excludable delay, under the section indicated by check (✓), commenced on 7-31-08 and ended on 10-24-08; () and ended on 10-24-08. (X1, X7)

3161(h)

- ____ (1) (A) Exam or hrg for mental or physical incapacity A
____ (1) (B) NARA examination (28:2902) B
____ (1) (D) State or Federal trials or other charges pending C
____ (1) (E) Interlocutory appeals D
____ (1) (F) Pretrial motions (from flg to hrg or other prompt dispo) E
____ (1) (G) Transfers from other district (per FRCrP 20, 21 & 40) F
____ (1) (J) Proceedings under advisement not to exceed thirty days G
____ Misc proc: Parole or prob rev, deportation, extradition H
____ (1) (H) Transportation from another district or to/from examination or hospitalization in ten days or less 6
~~X~~ (1) (I) Consideration by Court of proposed plea agreement 7
____ (2) Prosecution deferred by mutual agreement I
____ (3) (A) (B) Unavailability of defendant or essential witness M
____ (4) Period of mental or physical incompetence of defendant to stand trial N
____ (5) Period of NARA commitment or treatment O
____ (6) Superseding indictment and/or new charges P
____ (7) Defendant awaiting trial of co-defendant when no severance has been granted R
____ (8) (A) (B) Continuances granted per (h) (8)-use "T" alone if more than one of the reasons below are given in support of continuance T
~~X~~ (8) (B) (I) 1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice) T1
2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)
____ (8) (B) (ii) 2) Case unusual or complex T2
____ (8) (B) (iii) 3) Indictment following arrest cannot be filed in thirty (30) days T3
____ (8) (B) (iv) 4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel) T4
____ 3161(I) Time up to withdrawal of guilty plea U
____ 3161(b) Grand jury indictment time extended thirty (30) more days W

Date July 31, 2008

JMK
Judge's Initials